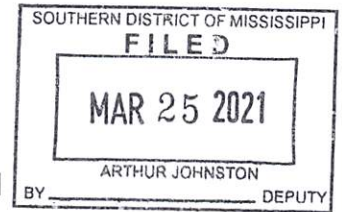


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



LARRY J. THRASH

PLAINTIFF

VERSUS

C. A. NO.: 1:21cv88 TBM-RPM

SILVER SLIPPER CASINO VENTURE, LLC
d/b/a SILVER SLIPPER CASINO and
also d/b/a SILVER SLIPPER CASINO HOTEL
and XYZ Corporations 1-10

DEFENDANTS

JURY TRIAL REQUESTED

COMPLAINT

COMES NOW the Plaintiff, LARRY J. THRASH, and for cause of action against the Defendant, SILVER SLIPPER CASINO VENTURE, LLC d/b/a SILVER SLIPPER CASINO and also d/b/a SILVER SLIPPER CASINO HOTEL and XYZ CORPORATIONS 1-10, and would show unto the court as follows:

PARTIES

1. Plaintiff, LARRY J. THRASH, is a resident citizen of Pearl River, County, Mississippi of full age of majority whose domicile is 309 Rock Ranch Road, Picayune, Mississippi 39466 and was so at all times relevant to this action.
2. Defendant, SILVER SLIPPER CASINO VENTURE, LLC d/b/a SILVER SLIPPER CASINO and also d/b/a SILVER SLIPPER CASINO HOTEL, is a Delaware Limited Liability Company registered as a foreign Limited Liability Company with the Mississippi Secretary of State with its principal place of business located at 1980 Festival Plaza Drive, Suite 680, One Summerlin, Las Vegas, Nevada 89135 and is qualified to do business in Mississippi and was doing business in Mississippi at all times relevant to this action and who may be

served with process by service upon its registered agent, Business Filings International, Inc., 645 Lakeland East Drive, Suite 101, Flowood, MS 39232.

3. XYZ Corporations 1-10, whose names and addresses are unknown, but which are obtainable through discovery, are corporate entities organized and existing under the laws of the State of Mississippi or are foreign corporations authorized to do and doing business in the State of Mississippi who have participated in the acts or events described in this Complaint and liable to Plaintiff.

JURISDICTION AND VENUE

4. Jurisdiction is based on diversity of citizenship, 28 U.S.C. §1332, and the amount in controversy, exclusive of interest and costs exceeds \$75,000.00. Venue is proper in the Southern Division of the Southern District of Mississippi pursuant to 28 U.S.C. 1391 as the injuries and damages of Plaintiff were sustained in Hancock County, Mississippi located in said division and district.

FACTS.

5. On April 7, 2019, Plaintiff was a business invitee of Defendant of the casino making lawful use of the premises at the time of the wrongs and injuries hereinafter complained and was at all times exercising all due caution for his own safety and the safety of others. Plaintiff and his wife were inside the casino waiting on friends to arrive to have dinner. Plaintiff needed to use the restroom and entered the men's room located near the front entrance of the casino. Upon entry Plaintiff walked toward the center urinal in the restroom when suddenly and without warning Plaintiff's feet slipped in water on the floor causing him

to fall. Plaintiff in an attempt to break his fall grabbed the partition between the urinals with his left hand and immediately felt a painful pop causing him to release the partition and land in the water on the floor. Plaintiff reported the incident to Defendant and sought medical care and treatment and was diagnosed with a torn bicep. Prior to the fall, Plaintiff was unaware of the wet condition of the floor and there were no warning signs warning Plaintiff and other members of the public of the dangerous condition created by Defendant.

6. Defendant owed Plaintiff the duty of furnishing him a reasonably safe place in the restroom and the duty to exercise ordinary care and caution in and about the operation, maintenance, and management of said premises. Defendant breached and violated said duties then and there owed to Plaintiff and as a direct and proximate result thereof, Plaintiff was injured and damaged as hereinafter alleged.

COUNT I. NEGLIGENCE

7. Plaintiff incorporates Paragraphs 1-6 as if fully set forth herein.

8. At all times relevant to this Complaint, Defendant owned, operated, maintained, managed and/or controlled the Silver Slipper Casino at 5000 South Beach Boulevard, Bay Saint Louis, Mississippi 39520 and invited the general public into its casino as business visitors, invitees and prospected customers and business patrons.

9. As the owner, operator, and/or manager of said premises, Defendant owed a duty of reasonable care to its invitees, such as Plaintiff, to maintain the premises in a reasonably safe condition.

10. Defendants breached its duty to provide reasonable care to its invitees by its

negligent actions and/or omissions by its owners, employees, servants, managers, or other agents in that it, among other things:

- a. Created and/or caused the hazardous and dangerous condition;
- b. Failed to provide a safe place for invitees on the premises;
- c. Carelessly and negligently permitted and allowed an unsafe condition to develop and/or remain in the area of the restroom where invitees, including Plaintiff, traveled;
- d. Failed to adequately and properly inspect, discover, and correct the hazardous and dangerous conditions;
- e. Failed to take reasonable precautions to guard against and protect Plaintiff against said hazardous and dangerous conditions;
- f. Failed to properly train its employees and to implement procedures to insure its premises was a safe place for its invitees;
- g. Failed to properly warn Plaintiff of the dangerous condition or to provide proper protection against such hazardous and dangerous conditions; and
- h. All other acts of negligence as may be shown at the trial hereof.

11. Defendant, by and through its agents and/or employees, knew or in exercise of reasonable care, should have known of the existence of the hazardous and dangerous condition.

12. As a direct, foreseeable, and proximate result of Defendant's negligent acts, Plaintiff was seriously injured without any negligence on the part of Plaintiff contributing thereto.

13. That as a result of the negligence of Defendant, Plaintiff has suffered and will suffer the following damages which include, but are not limited to:

A.	Expenses for Medical Care/Treatment (Past and Future)	\$70,000.00
	Pain, Suffering, Mental Anguish, & Loss of Enjoyment of Life (Past and Future)	\$200,000.00
B.	Disability, Scaring & Disfigurement (Temporary and Permanent)	\$250,000.00
C.	Loss of Income (Past and Future)	\$100,000.00
	TOTAL DAMAGES	\$620,000.00

The injuries and damages sustained by Plaintiff were the direct and proximate result of the negligence, as aforesaid, of Defendant, its owners, employees, servants, managers, or other agents.

AD DAMNUM

WHEREFORE, Plaintiff, LARRY THRASH demands judgment against Defendant SILVER SLIPPER CASINO VENTURE, LLC d/b/a SILVER SLIPPER CASINO and also d/b/a SILVER SLIPPER CASINO HOTEL and XYZ CORPORATIONS 1-10, jointly and severally, in the following particulars, to wit:

1. To compensate Plaintiff for his injuries and damages:

A.	Expenses for Medical Care/Treatment (Past and Future)	\$70,000.00
	Pain, Suffering, Mental Anguish, & Loss of Enjoyment of Life (Past and Future)	\$200,000.00

B. Disability, Scaring & Disfigurement
(Temporary and Permanent) \$250,000.00

C. Loss of Income
(Past and Future) \$100,000.00

TOTAL DAMAGES \$620,000.00

2. For other costs and expenses incurred by the Plaintiff together with interest on the judgment from the date of judicial demand until paid.
3. Plaintiff requests jury trial on all issues contained herein.

RESPECTFULLY SUBMITTED, this the 23rd day of March, A.D., 2021.

LARRY J. THRASH, Plaintiff

By: 

GREGORY P. HOLCOMB - MSB #103483
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109 WEST ERLANGER STREET
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EMAIL: greg@wwmlawfirm.net
Attorney for Plaintiff, Larry J. Thrash

PLEASE SERVE:

SILVER SLIPPER CASINO VENTURE, LLC
d/b/a SILVER SLIPPER CASINO and
also d/b/a SILVER SLIPPER CASINO HOTEL
Through its Registered Agent of Process
Business Filings International, Inc.
645 Lakeland East Drive, Suite 101
Flowood, Mississippi 39232